

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**September 13, 2006**

DIVISION TWO

B190060      Sababin et al.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Covina Rehabilitation Center, r.p.i.)

This is a proper case for issuance of a peremptory writ in the first instance. (Code Civ. Proc., § 1088; *Palma v. U.S. Industrial Fasteners, Inc.* (1984) 36 Cal.3d 171, 177–180.)

Let a writ of mandate issue, directing the respondent court to vacate its order of February 17, 2006, granting Covina's motion for summary adjudication of Renteria's successors' fourth cause of action for dependent adult abuse, and to issue a new order setting a hearing to determine whether Covina's motion for summary adjudication eliminates a triable issue as to employer liability. Renteria's successors in interest are to receive their costs on appeal. The stay heretofore issued is vacated.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                      Chavez, J.

B174594 Thompson  
v.  
County of Los Angeles

Filed order denying petition for rehearing.

DIVISION THREE

Court convened at 9:30 a.m.

Present: Croskey, Acting P.J., Kitching, J., Aldrich, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B187485     People v. Henry Duffy  
B184543     People v. Lionel Yates  
B189083     DCFS v. Leticia J.  
B185757     People v. Antelmo Molina

Argument waived, cause submitted.

B185714     The People  
                 v.  
                 Claretta Yates

Merits:

Argued by William Heyman for appellant. No appearance for respondent.  
Cause submitted.

B187630     Diamond Firm, Inc., et al  
                 v.  
                 Hartford Cas. Ins. Co.

Merits:

Argued by Steve Schuetze for appellant and by Allan Herzlich for respondents. Cause submitted.

B184456     Marlene J. Bonjour  
                 v.  
                 Los Angeles Unified School Dist.

Merits:

Argued by Kirt J. Hopson for appellant and by Christine T. Hoeffner for respondent. Cause submitted.

### DIVISION THREE (Continued)

B184027 Hopemart, Inc.  
v.  
Alex Meruelo

Merits:

Argued by Henry I. Bushkin for appellant and by Daniel J. Bramzon for respondents. Cause submitted.

B198904 Paul A. Kingston  
v.  
Felicia Gordon et al.

Merits:

Argued by Kathleen A. Kenne for appellant and by Allan Herzlich for respondents. Submission deferred to allow filing of additional briefing.

Court adjourned.

B184151 Grober (Not for Publication)  
v.  
Markel American Insurance Company

The judgment is affirmed. Markel is entitled to recover its costs on appeal.

Croskey, J.

We concur: Klein, P.J.  
Aldrich, J.

DIVISION FIVE

B189865      In re: Stephanie G., et al.                      (Not for Publication)  
                 v.  
                 Los Angeles County, D.C.S.  
                 Maria C.

The judgment is affirmed.

Turner, P.J.

We concur:    Armstrong, J.  
                 Mosk, J.

B187966      People                                      (Not for Publication)  
                 v.  
                 Eusebio Salcedo Gomez

The judgment is affirmed.

Turner, P.J.

We concur:    Armstrong, J.  
                 Mosk, J.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B189292      Hartnett v. Ventura Co.

Argument continued to October, 2006.

DIVISION SIX (Continued)

B186155      McMillan  
                 v.  
                 Ventura Co. Sheriff's Dept.

Merits:  
Argued by James S. Eicher, Jr. for respondents. Argument waived by  
appellant. Cause submitted.

B183139      Marriage  
                 of  
                 Demma

Merits:  
Argued by C.B. Henrichsen for respondent. Argument previously waived  
by appellant. Cause submitted.

B187267      Cano  
                 v.  
                 Glover

Appearances:  
Erich E. Foch for appellant and by Gregory Ramirez for respondent.  
Argument waived, cause submitted.

B187933      Noya  
                 v.  
                 Zurich American Ins. Co.

Merits:  
Argued by Mark C. Raskoff for appellants and by John F. Hodges for  
respondents. Cause submitted.

DIVISION SIX (Continued)

B174951     Rupp  
              v.  
              Buenaventura Medical Group

Merits:  
Argued by Todd J. Bloomfield for appellants/cross-respondents and by  
Dawn Cushman for respondents/cross-appellants. Cause submitted.

Gilbert, P.J. left the bench.

B185707     Kirby  
              v.  
              Haynes

Merits:  
Argued by Wiley Ramey for appellant and by Christian E. Iversen for  
respondent. Cause submitted.

Court recessed at 10:20 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B188621     Child Welfare Services v. Gabriela V.

Argument waived, cause submitted.

B186308     People  
              v.  
              Thirty Four Thousand Eight Hundred Sixty-Three & No/100 Dollars  
              (DeLuna)

Merits:  
Argued by Earnest C. Bell for appellant and argument previously waived  
by respondent. Cause submitted.

DIVISION SIX (Continued)

B176929     Wright  
              v.  
              City of Morro Bay

Merits:  
Argued by William S. Walter for appellants and by Kevin R. Anderson for respondent. Cause submitted.

Gilbert, P.J. left the bench.

B179195     M & C Products Analysis Technology, Inc.  
              v.  
              Bertik

Merits:  
Argued by Michael Philip Barbee for appellants and by Richard A. Hoffman for respondent. Cause submitted.

Gilbert, P.J. resumed the bench.

B184507     Corona Fruits & Veggies, Inc.  
              v.  
              Frozsun Foods, Inc.

Merits:  
Argued by Karen A. O'Neill for appellants and by Morton Minikes for respondent. Cause submitted.

B185565     Miller  
              v.  
              City of Grover Beach

Merits:  
Argued by Sylvia E. Kellison for appellant and by Jay A. Hieatt for respondent. Cause submitted.

September 13, 2006 (Continued)

## DIVISION SIX (Continued)

Yegan, J. left the bench.

B183628      Metric Construction Co., Inc.  
v.  
Allianz Ins., Co.

Merits:

Argued by Steven Donald Meacham for appellant and by Ron H. Burnovski for respondent. Respondent objects to appellant's demonstration regarding camber, which is noted by the court. Cause submitted.

Court adjourned.

B176434      Murrell  
v.  
Murkowski

Petition for rehearing is denied.

## DIVISION SEVEN

B186087      Vargas et al.,      (Not for Publication)  
v.  
Monitor Management Company et al.,

The judgment is reversed and remanded. Plaintiffs are awarded their costs on appeal.

Zelon, J.

We concur: Johnson, Acting P.J.  
Woods, J.



September 13, 2006 (Continued)

## DIVISION SEVEN (Continued)

B183963      Murphy      (Not for Publication)  
v.  
Shamilian et al.,

The judgment is affirmed. Shamilian shall recover costs on appeal.

Zelon, J.

We concur: Perluss, P.J.  
Johnson, J.

DIVISION EIGHT

B188458 People (Not for Publication)  
v.  
Flores

The judgment is affirmed.

Rubin, Acting P.J.

We concur: Boland, J.  
Flier, J.